

SECOND DAY.

(Wednesday, January 10, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Harrington.
Amsler.	Harris.
Arnold.	Henderson
Atkinson.	of Marion.
Avis.	Henderson
Baker of Milam.	of McLennan.
Baker of Orange.	Hendricks.
Baldwin.	Houston.
Barker.	Howeth.
Barrett.	Hughes.
Beasley.	Hull.
Bell.	Irwin.
Bird.	Jacks.
Blount.	Jennings.
Bobbitt.	Johnson.
Bonham.	Jones.
Brady.	Kemble.
Bryant.	Lackey.
Burmeister.	Laird.
Cable.	Lamb.
Carpenter	Lane.
of Dallas.	LeMaster.
Carpenter	LeStourgeon.
of Matagorda.	Lewis.
Carson.	Loftin.
Carter of Coke.	Looney.
Carter of Hays.	Lusk.
Chitwood.	McBride.
Coffee.	McDaniel.
Collins.	McDonald.
Covey.	McFarlane.
Cowen.	McNatt.
Crawford.	Martin.
Culp.	Mathes.
Davenport.	Maxwell.
Davis.	Melson.
DeBerry.	Merriman.
Dielmann.	Merritt.
Dinkle.	Miller.
Dodd.	Montgomery.
Downs.	Moore.
Driggers.	Morgan
Duffey.	of Liberty.
Dunlap.	Morgan
Dunn.	of Robertson.
Durham.	Pate.
Edwards.	Patman.
Faubion.	Patterson.
Fields.	Perdue.
Finlay.	Pinkston.
Frnka.	Pool.
Fugler.	Pope.
Gipson.	Potter.
Green.	Price.
Greer.	Purl.
Hardin of Erath.	Quaid.
Hardin	Quinn.
of Kaufman.	Rice.

Robinson.	Stewart of Reeves.
Rogers.	Stiernberg.
Rountree.	Storey.
Rowland.	Strickland.
Russell	Stroder.
of Callahan.	Sweet.
Russell of Trinity.	Teer.
Sackett.	Thompson.
Sanford.	Thrasher.
Satterwhite.	Turner.
Shearer.	Vaughan.
Shires.	Wallace.
Simpson.	Wells.
Smith.	Westbrook.
Sparkman.	Wessels.
Stell.	Williamson.
Stevens.	Wilmans.
Stewart	Wilson.
of Edwards.	Winfree.
Stewart of Jasper.	Young.

Absent—Excused.

McKean.

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell of Austin.

LEAVE OF ABSENCE GRANTED.

On motion of Mr. Greer, Mr. McKean was granted leave of absence indefinitely on account of sickness.

ELECTION OF JOURNAL CLERK.

The Speaker announced the next business in order was the election of Journal Clerk.

Hon. Henry Sackett of Coleman county nominated J. L. Robinson of Travis county, and moved that the Chief Clerk of the House be instructed to cast the vote of the House for J. L. Robinson for Journal Clerk.

The motion prevailed, and J. L. Robinson was declared duly elected Journal Clerk of the House.

ELECTION OF ENROLLING CLERK.

The Speaker announced that the election of Enrolling Clerk is now in order.

Hon. Geo. C. Purl of Dallas county nominated Mrs. Dora Mears of Williamson county.

Hon. A. J. Durham of Uvalde county seconded the nomination.

Mr. Quaid moved that nominations for Enrolling Clerk be closed.

The motion prevailed.

Mr. Culp moved that the Reading Clerk be instructed to cast the vote of the House for Mrs. Dora Mears for Enrolling Clerk.

The motion prevailed and Mrs. Dora Mears was declared duly elected Enrolling Clerk of the House.

ELECTION OF CALENDAR CLERK.

Hon. R. B. Thrasher of Travis county nominated A. B. Coffee of Travis county for Calendar Clerk.

Hon. Sam A. Bryant of Hall county nominated Daniel Watson.

Hon. C. E. Carter of Coke county seconded the nomination of A. B. Coffee.

Hon. J. T. McBride of Smith county seconded the nomination of Daniel Watson.

Mr. Carson moved that nominations for Calendar Clerk be closed.

The motion prevailed.

The Speaker appointed the same tellers acting as before, with the addition of Mr. Maxwell, to take up and count the votes.

The votes being taken up and counted resulted as follows:

A. B. Coffee received 90 votes.

Daniel Watson received 53 votes.

A. B. Coffee having received a majority of votes cast was declared duly elected Calendar Clerk of the House.

ELECTION OF ENGROSSING CLERK.

The Speaker announced that the next business in order is the election of Engrossing Clerk.

Hon. Roy C. Coffee of Wise county nominated Mrs. Bess Odell Strong.

Mr. Lewis moved that nominations for Engrossing Clerk be closed.

The motion prevailed.

Mr. Quaid moved that the Reading Clerk be instructed to cast the vote of the House for Mrs. Bess Odell Strong of Travis county for Engrossing Clerk.

The motion prevailed and Mrs. Bess Odell Strong was declared duly elected Engrossing Clerk of the House.

HOUSE NOTIFIED.

A committee from the Senate appeared at the bar of the House, and being duly announced, reported that the Senate is organized and is now ready for the transaction of business.

ELECTION OF DOORKEEPER.

Hon. A. J. Durham of Uvalde county nominated S. N. Hardy for Doorkeeper.

Hon. Lewis T. Carpenter of Dallas county nominated A. W. Mitchell.

Hon. Sam C. Lackey of DeWitt county seconded the nomination of S. N. Hardy.

Hon. I. W. Culp of Bell county seconded the nomination of A. W. Mitchell.

Hon. A. L. Pinkston of Shelby county nominated W. M. Dickinson of Shelby county.

Hon. W. D. Young of Collingsworth county seconded the nomination of W. M. Dickinson.

Hon. H. S. Bonham of Bee county seconded the nomination of A. W. Mitchell.

Mr. Howeth moved that nominations for Doorkeeper be closed.

The motion prevailed.

The Speaker appointed the same tellers acting as before to take up and count the votes for Doorkeeper.

The votes being taken up and counted resulted as follows:

S. N. Hardy received 32 votes.

W. M. Dickinson received 56 votes.

A. W. Mitchell received 46 votes.

No candidate having received a majority of all the votes cast, the Speaker ordered that another vote be taken, the same tellers acting as before to take up and count the votes.

The votes being taken up and counted resulted as follows:

W. M. Dickinson received 69 votes.

A. W. Mitchell received 67 votes.

W. M. Dickinson having received a majority of all the votes cast was declared duly elected Doorkeeper of the House.

ELECTION OF ASSISTANT DOORKEEPER.

The Speaker announced that the next business in order is the election of Assistant Doorkeeper.

Hon. L. L. Carter of Hays county nominated G. A. Hunt of Hays county.

Hon. B. W. Patterson of Eastland county nominated M. G. Jackson of Eastland county.

Hon. J. R. Greer of Henderson county nominated J. W. Paris of Travis county.

Hon. B. L. Russell of Callahan county seconded the nomination of M. G. Jackson.

Mr. Davenport moved that nominations for Assistant Doorkeeper be closed.

The motion prevailed.

The Speaker appointed the same tellers acting as before to take up and count the votes.

The votes being taken up and counted resulted as follows:

G. A. Hunt received 12 votes.

J. W. Paris received 5 votes.

M. G. Jackson received 132 votes.

M. G. Jackson having received a majority of all votes cast was declared duly elected Assistant Doorkeeper of the House.

ELECTION OF CHAPLAIN.

Hon. Claude D. Teer of Williamson county nominated Rev. J. C. Mitchell of Travis county for Chaplain.

Hon. L. L. Carter of Hays county nominated Rev. C. J. Bradley for Chaplain.

Hon. E. H. Gipson of Wichita county seconded the nomination of Rev. J. C. Mitchell.

Mr. Quaid moved that nominations for Chaplain be closed.

The motion prevailed.

The Speaker appointed the same tellers acting as before to take up and count the votes.

The votes being taken up and counted resulted as follows:

Rev. J. C. Mitchell received 125 votes.

Rev. C. J. Bradley received 4 votes.

Rev. J. C. Mitchell having received a majority of all votes cast was declared duly elected Chaplain of the House.

ADOPTING MASCOT OF THE HOUSE.

Mr. Bryant offered the following resolution:

Whereas, It has been a custom for a mascot to be chosen from the promising sons of members of the House of Representatives to be photographed along with the members of the House; and

Whereas, Hon. John F. Wallace is the proud father of John Samuel Wallace, the livest wire of his age in Texas; therefore be it

Resolved by the House of Representatives, That Hon. John Samuel Wallace be and is hereby chosen mascot of the House of Representatives of the Thirty-eighth Legislature.

The resolution was read second time and was adopted.

RELATING TO STENOGRAPHERS.

Mr. Baldwin offered the following resolution:

Whereas, There are many applications pending for stenographic positions; and

Whereas, Efficient dispatch of work of members of the House depends in great

degree upon competent and experienced stenographers; therefore, be it

Resolved by the House of Representatives, That the Speaker shall appoint a committee of five members of the House to conduct efficiency tests in shorthand and typewriting for such applicants as the Speaker shall desire to be examined, the time and place of conducting such examinations to be determined by the committee, and said committee shall certify to the Speaker a list of eligibles as shall have been determined by such examination, together with the grades made by each person so examined, and such recommendations as to the committee shall appear proper; provided, however, that the committee's report and recommendations shall be advisory only.

Signed—Baldwin, Purl.

The resolution was read second time and was adopted.

OATH OF OFFICE ADMINISTERED.

The constitutional oath of office was administered, by the Speaker, to the following elected officers:

Carl Phinney, Chief Clerk.

O. P. Basford, Reading Clerk.

Joe W. White, Sergeant-at-Arms.

Polk Hornaday, Assistant Reading Clerk.

J. L. Robinson, Journal Clerk.

Mrs. Bess Odell Strong, Engrossing Clerk.

Mrs. Dora Mears, Enrolling Clerk.

A. B. Coffee, Calendar Clerk.

W. M. Dickinson, Doorkeeper.

M. G. Jackson, Assistant Doorkeeper.

Rev. J. C. Mitchell, Chaplain.

TO NOTIFY GOVERNOR AND SENATE.

Mrs. Wilmans offered the following resolution:

Resolved, That the Speaker appoint two committees of three members each; one of said committees to notify the Governor and the other to notify the Senate that the House is now organized and ready for the transaction of business.

The resolution was read second time and was adopted.

In accordance with the above action the Speaker announced the appointment of the following committees:

To notify the Governor: Mrs. Wilmans, Messrs. Melson and Bobbitt.

To notify the Senate: Messrs. Baker of Milam, Morgan of Liberty and Le-Sturgeon.

RECESS.

On motion of Mr. Jones, the House, at 12:10 o'clock p. m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m., and was called to order by the Speaker.

PROVIDING FOR EMPLOYEES OF THE HOUSE.

Mr. Beasley offered the following resolution:

Resolved, That the Speaker of the House shall appoint the following employees for the Regular Session of the Thirty-eighth Legislature, to serve for such compensation as is hereafter provided.

One private secretary to the Speaker, \$7.50 per day.

One stenographer for the Speaker, \$5 per day.

One porter for the Speaker, \$3 per day.

One page for the Speaker, \$2.50 per day.

One assistant to the Journal Clerk, \$5.00 per day.

One assistant to the Calendar Clerk, \$5.00 per day.

One assistant to the Sergeant-at-Arms, \$6.00 per day.

One superintendent of the House, \$5.00 per day.

One warrant clerk, \$5.00 per day.

One clerk to the Appropriations Committee, \$7.50 per day.

One stenographer to the Appropriations Committee, \$6.00 per day.

One Assistant Sergeant-at-Arms in gallery, \$5.00 per day.

Thirty expert stenographers, \$5.00 per day, each.

Eight committee clerks, \$5.00 per day, each.

Twenty-two pages, \$2.50 per day, each.

One page, for Mr. Rice of Houston, \$4.00 per day.

One page, for Mr. DeBerry of Red River, \$4.00 per day.

One clerk to the Sergeant-at-Arms, \$6.00 per day.

One page to the Sergeant-at-Arms, \$3.50 per day.

One night watchman, \$5.00 per day.

One messenger to carry papers to Confederate Home, \$2.50 per day.

One messenger to carry papers to Confederate Women's Home, \$2.50 per day.

Two assistants to Enrolling and Engrossing Clerks, \$5.00 per day, each.

One elevator man who shall receive \$4.00 per day.

Seven porters, \$3.00 per day, each.

One chief operator for voting machine, \$7.50 per day.

One assistant operator for voting machine, \$5.00 per day.

Be it further resolved, That it shall be the duty of the Speaker and he is hereby empowered to dispense with the services of any employee when in his judgment said employee is not further needed or for misconduct of any employee; and further, he shall have the power to appoint extra help when in his judgment it is needed.

The duties of the employees as hereinbefore mentioned shall be such as are usually required of the employees of previous Legislatures, and it shall be the duty of the stenographers and clerks to assist members of the House in their correspondence, preparation of bills, etc.

Any of the employees may be excused by the Speaker for cause deemed by him sufficient. Provided further, that any employee who shall absent himself without leave, shall not receive any compensation for the time missed during said absence.

The salaries of the employees shall begin when they are instructed to begin work by the Speaker.

The resolution was read second time and was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, January 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. Nos. 1, 2, and 3.

S. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of forty thousand dollars, or so much thereof as may be necessary, out of the general revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Thirty-eighth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

S. B. No. 2, A bill to be entitled "An Act to make an appropriation of the sum of one hundred and twenty-five thousand dollars, or so much as may be necessary, payable out of the general

revenue not otherwise appropriated, to pay the mileage and per diem of members and the salaries and per diem of officers and employes of the Thirty-eighth Legislature of the State of Texas; providing for the approval of accounts, and declaring an emergency."

Respectfully,
RICHARD BLALOCK,
 Assistant Secretary of the Senate.

PROVIDING NEWSPAPERS FOR THE MEMBERS.

Mr. Rice offered the following resolution:

Resolved by the House of Representatives, That each member be allowed three daily newspapers during the Regular Session of the Thirty eighth Legislature, to be paid for out of the contingent expense fund of the House.

The resolution was read second time and was adopted.

SENATE NOTIFIED.

The committee appointed to notify the Senate that the House is now organized and ready for the transaction of business, appeared at the bar of the House, and being duly announced, reported that they had performed the duty assigned them.

RELATING TO TRANSACTION OF BUSINESS.

Mr. Quinn offered the following resolution:

Whereas, The session of the Legislature is held at great expense to the State and to each individual member;

Whereas, The good of all demands that no time be lost or foolishly expended while the Legislature is attending to the people's business; therefore, be it

Resolved, That this Legislature "get down to business," and stay at its task, get through and go home, and to this end

Resolved, That it is the sense of this House that we should consume no time in inviting our friends to address the House and thus consume the people's time and money.

The resolution was read second time and was lost.

GOVERNOR NOTIFIED.

The committee appointed to notify the Governor that the House is organized and ready for transaction of business ap-

peared at the bar of the House, and being duly announced, reported that they had performed the duty assigned them.

MESSAGE FROM THE SENATE.

Senate Chamber.
 Austin, Texas, January 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 5.

Respectfully,
RICHARD BLALOCK
 Assistant Secretary of the Senate.

PROVIDING POSTAGE FOR MEMBERS.

Mr. Culp offered the following resolution:

Resolved, That each member be allowed \$30 for postage stamps and the Sergeant-at-Arms and the Chief Clerk be allowed \$15 each for postage stamps, and the Committee on Contingent Expenses and the Committee on Appropriations be allowed \$30 each for postage stamps, to be paid out of the contingent fund of the House.

Resolved, That the postoffice box rent of the members of the House shall be paid out of the contingent fund of the House, upon approval of the Contingent Expense Committee.

Resolved, That all requisitions for paper and supplies necessary for the preparation of bills, for the enrolling and engrossing room, the minute books and blank paper for use of committees, the letterheads, envelopes, etc., to be used by the members or employes of the House to be made under the direction of the Committee on Contingent Expenses.

Resolved, That the chairman of the Committee on Contingent Expenses be authorized to rent typewriters for the use of stenographers and Enrolling Clerk and Engrossing Clerks of the House and to purchase typewriter ribbons, the cost of same to be paid out of the contingent fund of the House.

Resolved, That the Sergeant-at-Arms shall be the custodian of all stationery and stationery supplies required by the House; that said supplies be obtained and disposed of and accounted for by the Sergeant-at-Arms as provided by Rule 3, Section 4, of the Rules of the Thirty-third Legislature.

The resolution was read second time and was adopted.

TO COUNT VOTES FOR GOVERNOR AND LIEUTENANT GOVERNOR

The Speaker laid before the House for consideration at this time the following resolution:

S. C. R. No. 1, Providing for counting votes for Governor and Lieutenant Governor.

Resolved, by the Senate and the House of Representatives concurring, That the President of the Senate appoint three Senators and the Speaker of the House of Representatives appoint five members of the House of Representatives to count the votes cast in the recent election for Governor and Lieutenant Governor and to make all necessary arrangements for their inauguration.

The resolution was read second time and was adopted.

ADOPTING JOINT RULES.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 2, Adopting Joint Rules.

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Joint Rules of the House and Senate of the Thirty-seventh Legislature be adopted as the Joint Rules of the House and Senate of the Thirty-eighth Legislature, until amended or changed by action of both House and Senate.

The resolution was read second time and was adopted.

RELATING TO FLOOD WATERS OF RIO GRANDE.

The Speaker laid before the House for consideration at this time, the following resolution:

S. C. R. No. 3, Relating to flood waters of the Rio Grande river.

Whereas, Since the construction of the Elephant Butte reservoir in the State of New Mexico the former channel of the Rio Grande at and below the city of El Paso has become obstructed by an accumulation of silt and growth of reeds and brush; and

Whereas, The Rio Grande is subject at times to floods originating south of said reservoir, exceeding 8000 second feet of flow, and which floods, by reason of torrential rains, might be much larger in amount; and

Whereas, Large areas in the city of El Paso and in the irrigated district below said city with improvements aggregating millions of dollars, are threatened, from time to time, with destruction by reason of the partial obliteration of the river channel; and

Whereas, The Rio Grande is an international boundary stream, and as such subject to the exclusive control and jurisdiction of our Federal government, and by virtue of the international boundary treaty between the United States and Mexico, no changes or alterations in said river, its channel or its banks can be made except with the approval and under the control of the International (Water) Boundary Commission; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Senators from the State of Texas, in the Senate of the United States, be instructed, and the Representatives of the State of Texas in the House of Representatives of the United States be requested to take such action in Congress, and to use their best efforts to secure such action on behalf of the Executive Department of the United States as may be necessary, at the earliest practicable moment, to secure surveys and plans to handle the flood waters of the Rio Grande between the south boundary of the State of New Mexico and Fort Quitman, Texas, as may be necessary to effect that purpose, and to urge upon the Congress of the United States adequate appropriations to carry out such plan.

Be it further resolved, That a copy of this concurrent resolution be forwarded to each of the Senators and Representatives of the State of Texas in the Congress of the United States.

The resolution was read second time and was adopted.

RELATING TO CONTROL OF WATERS OF PECOS RIVER.

The Speaker laid before the House for consideration at this time the following resolution:

S. C. R. No. 5, Relating to control of waters of the Pecos river.

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring:

Section 1. That the Governor of this State be, and he is hereby authorized and requested to designate some qualified person to represent the State of

Texas in a conference with representatives of the United States and of the State of New Mexico, with a view to negotiating an agreement concerning the storage, division and use of the waters of the Pecos river in New Mexico and Texas.

Sec. 2. The commissioner appointed to represent the State of Texas shall have authority to meet and confer with the other members of the commission, at such point, within the State of Texas or the State of New Mexico as they may see fit, and the necessary travel and other expenses may be paid out of any funds appropriated by the Legislature for travel or miscellaneous expenses for the use of the State Board of Water Engineers.

Sec. 3. Any agreement which may be reached between the representatives of the State of Texas and the representatives of the United States, and the State of New Mexico, shall be reduced to writing and submitted to the Governor of the State of Texas, but such agreement shall have no binding effect upon the State of Texas, or any of its legal representatives until the same shall have been ratified by the Legislature of this State, and approved by the Governor thereof.

The resolution was read second time and was adopted.

PRESENTATION OF GAVEL TO THE SPEAKER.

Hon. Lewis T. Carpenter, on behalf of the citizens of Austin, presented the Speaker a gavel made by J. C. Adrian of Austin.

Speaker Seagler, on behalf of himself and the members of the House, thanked the donor for the gift.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read first time, and referred to appropriate committees as follows:

Senate bill No. 1, to the Committee on Appropriations.

Senate bill No. 2, to the Committee on Appropriations.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Melson, Mrs. Wilmans, Mr. Cable, Mr. Greer and Mr. McFarlane:

H. B. No. 1, A bill to be entitled, "An Act appropriating three million five hundred thousand dollars (\$3,500,000) out of the State Treasury to aid and promote all the public schools of this State for the scholastic year beginning September 1, 1922, and ending August 31, 1923, the same to be distributed as the available school fund is now distributed, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Kemble:

H. B. No. 2, A bill to be entitled "An Act relative to appearance bonds, bail bonds, appeal bonds, and recognizances in criminal cases; prohibiting any attorney at law from becoming surety on any such bonds or recognizances; prohibiting the making of such bonds or recognizances where the surety becomes such for a valuable consideration; providing penalties for violating the act; providing for the disbarment of attorneys for violating the act, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Dielmann and Mr. LeSturgeon:

H. B. No. 3, A bill to be entitled "An Act to provide for the purchase and conveyance to the State of Texas of the land in the city of San Antonio known as the Ancient Government Palace property, which was the building used as the capitol of the ancient province of Texas; and for the care and preservation of said property; and appropriating the sum of fifty-seven thousand (\$57,000) dollars to carry out the provisions of this act."

Referred to the Committee on State Affairs.

By Mr. Lewis and Mr. Montgomery:

H. B. No. 4, A bill to be entitled "An Act to establish and maintain a horticultural and agricultural experiment station in the citrus belt of Cameron or Hidalgo county, Texas, authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said Board to establish and maintain the same; to accept donations of lands,

water and money for the establishment of said station, making an appropriation to pay the cost of establishing said station, and for the operation of the same, and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Winfree:

H. B. No. 5, A bill to be entitled "An Act to regulate district courts in judicial districts composed of more than one county and having at least four weeks each in counties in which there is a city of one hundred and thirty-five thousand population, or over, according to the last United States census, by providing for the extension of the terms thereof in such last described counties, and the conducting of such extended terms while a new term thereof is open, and by providing procedure in such courts in the issuance, service and return of citations by publication issued out of said courts, and for other purposes, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Lewis:

H. B. No. 6, A bill to be entitled "An Act requiring hotel owners or keepers to post in each room a card or sign stating the price per day for such room; prohibiting any advances in prices within thirty days; compelling hotels to furnish guests with tickets showing prices of rooms; fixing penalty, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Melson and Mr. Cable:

H. B. No. 7, A bill to be entitled "An Act abolishing the Markets and Warehouse Department and the Weights and Measures Department, conferring all authority, powers, duties, functions, rights and liabilities of the Commissioner of Markets and Warehouses and of said Markets and Warehouse Department and Weights and Measures Department upon the Commissioner of Agriculture; abolishing the board, consisting of the Governor and Commissioner of Insurance and Banking, created by Chapter 5, General Laws of the Second Called Session of the Thirty-third Legislature, and vesting the powers and duties of said Board in the Commissioner of Agriculture; conferring the powers and duties of the Commissioner of Insurance and Banking,

relative to warehouses, upon the Commissioner of Agriculture, except such as are conferred by Chapter 3, General Laws, Second Called Session of the Thirty-third Legislature; conferring power and authority upon the Commissioner of Agriculture to administer provisions of Chapter 5, General Laws, Second Called Session of the Thirty-third Legislature, Chapter 41, General Laws, First Called Session of the Thirty-fifth Legislature, and Chapter 116 of the General Laws, Regular Session, Thirty-sixth Legislature, or so much of said statutes as are in force; transferring the appropriations of the Markets and Warehouse Department and the Weights and Measures Department to the Commissioner of Agriculture, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Cable:

H. B. No. 8, A bill to be entitled "An Act to amend Section 1 of Chapter 86 of the Regular Session of the Thirty-sixth Legislature, amending Section 2 of House bill No. 25 passed by the Thirty-third Legislature at the Regular Session and approved April 7, 1913, relating to prorating the appropriation for Confederate pensions among the pensioners; to provide that women who were wives of Confederate soldiers or sailors and who after the death of such soldiers or sailors have remarried, but who have been separated from or abandoned by their husbands and living apart from them for a period of three years next prior to her application for a pension, and who are in indigent circumstances, may be eligible to the grant of a pension, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Rountree:

H. B. No. 9, A bill to be entitled "An Act authorizing the Board of Directors to purchase additional lands adjacent to the A. and M. College of Texas, the title to said lands to be taken in the name of the Board of Directors and their successors, and said lands to be subject to the control of said Board of Directors; said lands comprising approximately three hundred and eighty-three (383) acres in several tracts whose ownership or description is herein indicated; providing for the purchase from the different owners and

authorizing condemnation proceedings in case the price of the several tracts cannot be agreed upon between the respective owners and said Board of Directors; providing the manner of drawing vouchers and approving the title of said lands by State officials; making an appropriation for the purchase of said lands out of the general revenues, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Irwin and Mr. Carpenter of Dallas:

H. B. No. 10, A bill to be entitled "An Act to authorize cities having more than 25,000 population to purchase and condemn real estate for the purpose of laying out, establishing, straightening, widening, opening or extending highways, public squares or public places therein, and to provide for the cost thereof, and for the assessment of such costs against property benefited by such improvements and against its owners, and to enforce the collection thereof, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. LeStourgeon:

H. B. No. 11, A bill to be entitled "An Act to amend Article 151, Title 10, of the Revised Statutes of the State of Texas, relating to the writ for the apprehension of persons who are lunatics or non compos mentis and their detention; prohibiting the incarceration of such persons in county jails in counties where city or county hospitals exist; providing that they shall be detained in such county or city hospitals, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Cowen:

H. B. No. 12, A bill to be entitled "An Act to provide revenue for the support of the public free schools of Texas, and to levy a tax of two cents per gallon on all gasoline sold in the State of Texas for the support of the public free schools of Texas, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Sweet:

H. B. No. 13, A bill to be entitled "An Act providing for the licensing, bonding and regulating of private em-

ployment agents; limiting the fee charged by such agents; providing for the cancellation of such license; prescribing the duties of the Commissioner of Labor Statistics for the State of Texas with reference to the enforcement of this act; providing for recoveries on said bond; fixing penalties for the violation of this act; creating a special fund for the enforcement of this act and appropriating same for said purposes; repealing certain laws and all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Carpenter of Dallas:

H. B. No. 14, A bill to be entitled "An Act to amend Section 1 of Article 7355, Title 126, Revised Civil Statutes of Texas (1911), and also by adding thereto Section 14, relating to occupation taxes on itinerant merchants, or persons, firms, companies or association of persons temporarily engaging in the mercantile business, fixing penalty, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Dunn:

H. B. No. 15, A bill to be entitled "An Act to repeal Chapter 118, of the Special and Local Laws of the Regular Session of the Thirty-third Legislature, as amended by Chapter 45 of the Special and Local Laws of the Second Called Session of the Thirty-sixth Legislature, authorizing and empowering Falls county or a political subdivision thereof to vote bonds for the purpose of constructing permanent roads; providing that nothing in this act shall affect pending litigation under said law; authorizing Falls county, Texas, or any political subdivision, or defined district thereof to issue road bonds under the provisions of the general law; validating bond elections heretofore held in certain defined road districts within said county; and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Cowen:

H. B. No. 16, A bill to be entitled "An Act to regulate the imitation of names, styles and emblems of benevolent, fraternal, social, humane and charitable organizations, and to make it an offense to wear a badge, button or other emblem,

or use the name or claim to be a member without authority of any such organization and providing for injunction and fixing penalties thereof."

Referred to Committee on Insurance.

By Mr. Rountree, Mr. Wells, Mr. Baker of Orange, Mr. Baker of Milam, Mr. Montgomery, Mr. Shires, Mr. Frnka, Mr. Carpenter of Matagorda and Mr. Gipson:

H. B. No. 17, A bill to be entitled "An Act requiring the Board of Water Engineers and the State Reclamation Engineer, in conformity to the statutes determining their powers and duties, to make, and cause to be made, and report to the Governor, an adequate topographic and hydrographic survey of the stream watersheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be made practicable, advancing all such work as found feasible in accordance with the relative importance to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this act, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Patterson and Mr. Carpenter of Dallas:

H. B. No. 18, A bill to be entitled "An Act to amend Chapter 2 of Title 98, Revised Statutes of Texas, 1911, by adding thereto Article 6057a, providing that in addition to other methods provided in said chapter for the removal of officers they may be removed by quo warranto proceeding brought by the Attorney General upon direction of the Governor, making the provisions of said chapter applicable to proceedings hereunder except where in conflict, providing that the district judge may temporarily suspend an officer against whom the petition is filed and appoint a person to discharge the duties of the office who shall not be required to give bond as provided in Article 6049, providing that the suspended officers shall receive the salary, compensation or fees until final judgment removing him, and that such salary, fees or compensation collected by the temporary officer shall be paid to the suspended officer, and that during appeals from a judgment removing an officer such salary, fees and compensation

shall be received by him unless he gives a supersedeas bond therefor, and that appeal shall not suspend the order temporarily removing such officer; providing that the temporary officer shall receive the same salary or compensation provided by the law to be paid by the State out of an appropriation to the Governor for the enforcement of the law; fixing jurisdiction and venue for such suits, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Shires, Mr. Hughes, and Mr. Henderson of McLennan:

H. B. No. 19, A bill to be entitled "An Act creating the West Independent School District in the County of McLennan, State of Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; divesting the City of West and the Old West Independent School District, as heretofore created, of the control of its public free schools, and the title of all property now held and used for free school purposes; and vesting the same in the West Independent School District as here created, and its board of trustees; and providing that all moneys now on hand or to be hereafter acquired for school purposes from the sale of bonds or otherwise be delivered by the City of West or the West Independent School District, as heretofore existing, unto the board of trustees of the West Independent School District, as here now created; and providing for the assessment and collection of taxes; and for the appointment and election by the board of trustees for a treasurer and other officers; granting power unto said board of trustees to issue bonds and providing for a sinking fund therefor; granting power unto said board of trustees to purchase school sites and to erect, furnish, equip and maintain schools and school buildings within said district; and granting such other powers as are granted by general law to cities and towns incorporated for school purposes only, and providing for an emergency."

Referred to Committee on Education.

By Mr. Baker of Milam:

H. B. No. 20, A bill to be entitled "An Act on the subject of compulsory education, amending Articles 2779a and 2779b of Title 48, Revised Civil Statutes of Texas, requiring all children within the scholastic age to attend the public

school in the district to which such student may be transferred, for the full period for which the school is conducted; making it the duty of the parent, guardian or person having control, charge or custody of any such child, or children, to send the same to said school for the full period for which the same is conducted and a failure to do so, is punishable as provided in the Penal Code, each day shall constitute a separate offense; defining the classes of children who are exempt from the requirements of the act, and by adding two sections providing the benefit of free text books for such pupils as may be taught in private and parochial schools or by the parent or guardian, or private tutor, and also providing for an examination by the county superintendent or superintendent of an independent school district, or town or city of such child or children taught other than in public schools and providing, that if found deficient on such examination, such superintendent may require the attendance of such child or children upon the public schools; and repealing Article 2779c, Title 48 of the Revised Civil Statutes."

Referred to Committee on Education.

By Mr. Baker of Milam, Mr. Atkinson and Mr. Burmeister:

H. B. No. 21, A bill to be entitled "An Act to amend Section 2 of Chapter 57 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-first Legislature, 1909, by substituting therefor a new section; providing for the appointment of a clerk of the Court of Criminal Appeals; fixing his salary and defining his powers and duties; abolishing the salary of deputy clerk; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Bryant:

H. B. No. 22, A bill to be entitled "An Act to amend Articles 2949 and 2850 of the Revised Civil Statutes of 1911; providing the items that shall appear upon a poll tax receipt; omitting the age of the poll taxpayer, but requiring the receipt to show that the holder thereof is a citizen of the United States and twenty-one years of age."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Arnold (by request):

H. B. No. 23, A bill to be entitled "An Act to appropriate the sum of \$115,000 or so much thereof as necessary to pay the judgment of Houston National Exchange Bank vs. Prison Commission et al., and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Dodd:

H. B. No. 24, A bill to be entitled "An Act requiring all men to submit to physical examination and furnish to the clerks to whom they apply for license to marry a certificate from a reputable physician that they are free from venereal disease; prescribing penalties, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Shires:

H. B. No. 25, A bill to be entitled "An Act amending Article 7383, as amended, and Article 7383-a, Revised Civil Statutes, with reference to an occupation tax on those producing oil from oil wells in this State, and declaring an emergency."

Referred to Committee on Oil, Gas and Mining.

By Mr. Shires:

H. B. No. 26, A bill to be entitled "An Act providing that bond forfeiture cases are civil cases and appealable to the civil courts by either the plaintiff or the defendant; making it necessary for the county or district attorney to approve bail bonds and recognizances as to legal form, and declaring an emergency."

Referred to Judiciary Committee.

RELATING TO SUFFRAGETTE MASCOT OF THE HOUSE.

Mr. Pinkston offered the following resolution:

Resolved, That the beautiful baby, Margaret, daughter of Honorable and Mrs. A. L. Lewis of Cameron county be made the suffragette mascot of this House.

Signed—Pinkston, Rountree, Westbrook.

The resolution was read second time and was adopted.

RELATING TO STENOGRAPHERS.

The Speaker announced the appointment of the following committee to test the efficiency of stenographers.

Messrs. Henderson of Marion, Chairman; Bobbitt, Williamson, Patterson and Melson.

HOUSE JOINT RESOLUTIONS ON FIRST READING.

The following House joint resolutions, introduced today, were laid before the House, read severally first time, and referred to Committee on Constitutional Amendments.

By Mr. Bryant:

H. J. R. No. 1, Providing for the amendment to Article 3 of the Constitution of the State of Texas adding thereto Section 59, authorizing the State of Texas to appropriate money from the general revenue and issue bonds and to lend its credit for the purpose of constructing and maintaining terminal fireproof warehouses and grain elevators at the ports of Texas for the storage of the products of the farm, ranch and orchard, and for loading for shipment for water transportation; and authorizing counties or any political subdivision thereof, or any number of counties adjoining, or any defined district within the State to issue its bonds for the construction of local fireproof warehouses, grain elevators cold storage and curing plants, and any other buildings desirable for the storage and conservation of the products of the farm, ranch and orchard.

By Mr. Bryant:

H. J. R. No. 2, Proposing an amendment to Section 1, Article 8, of the Constitution of the State of Texas, providing for a graduated land tax and exempting homestead improvements from taxation.

By Mr. Bryant:

H. J. R. No. 3, Proposing an amendment to Section 2 of Article 6 of the Constitution of the State of Texas abolishing the poll tax qualification of electors.

By Mr. Bryant:

H. J. R. No. 4, Proposing to amend Section 50, Article 3, of the Constitution of the State of Texas, so that hereafter the Legislature shall have power to give or lend the credit of the State for the purchase and improvement of rural and urban homes.

By Mr. Bryant:

H. J. R. No. 5, Proposing an amendment to Section 1, Article 8 of the Constitution of the State of Texas, providing for a graduated land tax and exempting homestead improvements from taxation.

RELATING TO TEXAS AND UNITED STATES FLAGS.

Mr. Burmeister moved that the Sergeant-at-Arms of the House be instructed to have the Texas and United States flags placed in appropriate places in the Hall.

The motion prevailed.

STANDING COMMITTEE ANNOUNCED.

The Speaker announced the appointment of the following standing committee:

Judiciary Committee: Mr. Jones, Chairman; Mr. Burmeister, Vice-Chairman; Messrs. Bell, Carpenter of Dallas, Russell of Callahan, Lackey, Bobbitt, Bonham, Henderson of McLennan, Beasley, Storey, Patterson, Arnold, Hendricks, Hull, Price, Baldwin, Stiernberg, Potter, Jennings, and Rogers.

APPOINTMENT OF STENOGRAPHERS.

The Speaker announced the appointment of the following stenographers:

Miss Isabelle Sutherland, Miss Ora Taulbee, Miss Pauline Hagler, Miss Fannye Moore, Miss Bessie Minter, Mrs. Blanche Willingham and Mrs. Lois Haltom.

ADJOURNMENT.

On motion of Mr. Satterwhite, the House, at 6 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

REPORT OF BOARD OF MANAGERS, TEXAS STATE RAILROAD.

Austin, Texas, January 9, 1923.

Hon. R. E. Seagler, Speaker, House of Representatives, Austin, Texas.

Dear Sir: In compliance with the statute creating the Board of Managers of the Texas State Railroad, please find enclosed herewith the report rendered the Governor of Texas, submitting for your consideration all of the transactions and the entire operations of the State Railroad while in the custody of the Board of Managers created by your honorable body.

In submitting this report may we hope that our work will meet with your approval.

Sincerely yours,

LYNCH DAVIDSON,
Lieutenant Governor.

Austin, Texas, January 9, 1923.

To the Thirty-eighth Legislature of Texas, Regular Session:

I take pleasure in presenting to your honorable body this copy of semi-annual report submitted to His Excellency, the Governor, of the Board of Managers, Texas State Railroad, for the period from June 30, 1922, when the last report was made, to and inclusive of January 6, 1923.

Itemized statements covering all deposits of funds in the State Treasury, and all warrants drawn upon the Treasury and disbursements made during the period for which this report is made, have been certified by the Comptroller of the State and are attached hereto as a part of this report. Exhibit "A" hereto attached being a statement of deposits and warrants from August 16, 1921, when the last report was made to the Thirty-seventh Legislature, down to and inclusive of July 1, 1922; Exhibit "B," being statement from July 1, 1922, down to January 6, 1923; Exhibit "C," showing cash in the State National Bank at this time; and Exhibit "D" being statement showing the financial condition of the road.

Briefly reviewing the past activities of the Board of Managers as reflected by our previous reports: The Board, upon taking over the State Railroad in accordance with Senate bill No. 267, in March, 1921, found the road incapable of operation with safety to the person and property of its patrons, and its operations were conducted at a monthly deficit of from five to eight thousand dollars. The Board immediately began the task of rehabilitation, and in the course of several months succeeded in restoring the road to a condition acceptable to the Southern Pacific for lease.

On August 24, 1921, Senate bills Nos. 13 and 14, Second Called Session, were approved by your Excellency ratifying and embodying in statute the contract between this Board and the Southern Pacific Lines for the operation and maintenance of the Texas State Railroad. On November 5, 1921, operation by the Southern Pacific began under its five-year lease.

The State Railroad was originally laid with fifty-six, sixty and sixty-one-pound rails. In order to increase the value of the line by relaying with heavier weight rails, the Board of Managers negotiated with the State Highway Commission and the Federal Bureau handling disposition of surplus war material, for sufficient eighty-pound rails, angle bars, bolts, spikes, etc., to relay the State Railroad. The work of relaying was awarded to W. H. Nichols of Dallas, the lowest bidder, at \$325 per mile. The relaying was completed in May, 1922.

Money was secured to carry forward this work by selling a portion of the old equipment and rolling stock of the State Railroad, most of which was rusting and deteriorating. In this connection the following sales were made:

Locomotive engine No. 7, sold to Birmingham Rail & Locomotive Works	\$12,500.00
One motor car sold to C. E. Burkin, Palestine.....	85.00
Fourteen box and flat cars to King Creek Lbr. Co.....	2,100.00

Negotiations for the sale of the old rail belonging to the State Railroad, which was replaced with new eighty-pound rails, resulted in the following sales:

To Birmingham Rail & Locomotive Works, 100 tons.....	\$25,867.50
To Birmingham Rail & Locomotive Works, 28.97 tons.....	753.22
To Birmingham Rail & Locomotive Works, 28.839 tons.....	692.13
To Wier Long Leaf Lbr. Co., 295.145 tons.....	7,378.66
To Wier Long Leaf Lbr. Co., two switch sets.....	150.00
To Sugarland Industries, 213.72 tons.....	5,449.86
To Geo. W. Cleveland, Jr., 66 tons.....	1,670.00
To Delta Land & Timber Co., 390.45 tons.....	9,956.47
To Birmingham Rail & Locomotive Co., 62.232 tons.....	1,586.92
To Cia. Minera de Penoles, S. A., fifteen switch sets.....	975.00
	<hr/>
	\$54,833.56

After the removal of the convicts from the State Railroad, the Board had no further use for the convict building erected at Maydelle, and sold the same to G. S. Huston et al. for a consideration of \$800.

There have been paid against the above amounts some small claims as shown in attached Exhibit "B," occasioned by adjustment of weights, etc.; and there are pending several similar claims now, not to exceed in the aggregate \$500.

Practically all funds received from the foregoing sales were deposited in the bank and later transmitted by check to the Treasury of the State to the credit of Appropriation C-3524.

In September and October of 1921, the Board received from claims against the Federal Government, under the Transportation Act, 1920, Section 204, the sums of \$11,550 and \$3403.80, which were transmitted to the State Treasury. Claim for \$31,737.87 under Section 209 of the Transportation Act, 1920, has been filed with the Interstate Commerce Commission. The Board is actively and vigorously pressing this claim, the chairman having recently made a trip to Washington for that purpose, and the Board hopes that a substantial portion, if not all claimed, will be recovered in the near future on behalf of the Texas State Railroad.

On December 15, 1921, the balance of the "Hospital Fund" remaining after all employes and previously employed persons whom the Board located were at the time the Board took over the road, refunded the full amounts paid into this fund, which was on deposit in a local Palestine bank, was remitted to the State Treasury to the credit of the railroad's general appropriation fund. A statement covering this matter was attached to our former report of February 28, 1922.

Among the assets turned over to the Board of Managers by the Board of Prison Commissioners was one promissory note for \$681.98, dated May 14, 1920, and signed by R. P. Dean, Mrs. Lucy A. Dean and Mr. G. W. Roach, given in payment of a deficit in his accounts while agent at Maydelle. To apply on this note the Board has collected two payments of \$50 each, or \$100, and is now endeavoring to secure payment of the balance of the note.

Other minor accounts also were collected, all of which were duly transmitted to the State Treasury and set out in financial statements attached to our reports.

The present financial condition of the road is set out in the summary below. Certain deductions aggregating somewhere around twelve or fifteen thousand dollars will be taken from this in the adjustment of freight claims and charges hereinafter referred to as being due the Southern Pacific Lines. This amount, however, is not ascertainable at this time because the Board has not yet been able to arrive at any adjustment amount with the Southern Pacific.

EXHIBIT "D."

Statement of Assets of Texas State Railroad, January 6, 1923.

Balance in State Treasury to credit of Appropriation C-3524....	\$ 40,417.73
Balance in State National Bank.....	2,479.50
Relaying rail yet unsold, approximately 8½ track miles (negotiations for sale now under way).....	20,000.00

Relaying rail to be retained for utility use, about one mile.....	2,000.00
Old Baldwin Locomotive No. 6, and junk.....	2,000.00
Claim against Federal Government for compensation under Transportation Act, 1920; expect to recover.....	31,737.87
Note against R. P. Dean et al. for \$681.98, less \$100 collected....	581.98

Total assets	\$ 99,217.08
The reconstruction of the road and its rehabilitation is practically completed, and its 32 miles now have a reasonable value of \$30,000 per mile, or a total value of.....	\$ 960,000.00

From the above it will be seen that with the physical assets, cash on hand, and the physical value of the road, the State of Texas now has a property worth, at a reasonable estimate, \$1,059,217.08

A personal inspection of the Texas State Railroad made on December 14, 1922, by the members of the Board of Managers indicates that the road is being well maintained and substantial improvement being carried on continually. New creosoted ties are being steadily inserted; the line and surface of the track is good; ditches are being cleaned; the entire line has been fully equipped with standard signs, such as whistling boards, station boards, highway crossing signs, bridge signs, railroad crossing signs; right-of-way being cut and cleared; depots repaired and repainted; switch stands and switch targets repainted; all public highway crossings being well maintained; bridges well maintained; new creosote drain boxes being put under public highway crossings; new culverts; cattle guards and cattle guard wing fences being put in good condition. The road in its present physical condition is safe for any reasonable rate of speed for freight and passenger trains. Train and engine employees are assisting in the solicitation of business, being apparently very much interested in rendering the best of service to the public; and the public is apparently well satisfied with the service.

There is now being operated over the road double daily passenger and freight service, with Pullman service between Palestine and Dallas. The volume of business handled by the Texas State Railroad and its revenues have steadily increased from month to month since its operation was resumed on November 5, 1921.

Because of the extensive rehabilitation work conducted by the T. & N. O. after that company took over the road (practically all of which was charged to the joint operating account, and which was occasioned by reason of the Board's not getting the use of the fifty convicts for a full year as contemplated by the act), operating expenses were at first quite heavy. It was necessary to retain several section crews, in excess of the number ordinarily required to keep up the road. However, since the complete relaying of the track with heavy rail, the insertion of new ties, and the almost complete resurfacing of the track, this heavy expense is being reduced, and our operating cost correspondingly reduced. And in view of the substantial character of these improvements the cost of maintenance, except for tie renewals, should be much less per mile next year than it was for the past year.

The chairman of the Board has been in repeated conference with executives of several different railroad systems during the past few weeks with a view to effecting a sale of the State Railroad, and prospects for disposing of the road outright within the near future are promising.

Notwithstanding the expense of the rehabilitation of the road generally, all indebtedness subsequent to March 12, 1921, with the exception of a balance on freight charges, etc., due the Southern Pacific being held up because of numerous discrepancies yet unadjusted in our favor, there is at present to the credit of the Texas State Railroad appropriation fund \$42,897.23 cash, or almost twice the amount originally appropriated. In addition, besides the \$31,737.87 which the Board hopes to recover from the Federal Government, and other outstanding assets as tabulated in Exhibit "D," negotiations for the sale of the remainder of the old relaying rail, except a mile or so to be reserved for utility purposes, are expected to be consummated within the next few days for a consideration of not less than \$20,000.

As chairman and in behalf of the Board of Managers, as provided by law, I submit this report to your Excellency showing the manner in which the Board has performed its duty under the law in caring for the State's property, viz., the Texas State Railroad, thirty-two miles in length, operating from Rusk to Palestine.

In view of the depleted physical condition of the road at the time the Board took it over, its most unfortunate financial history and its well known wrecked physical condition, the Board most respectfully invites a committee of the Senate and House to visit the property. With the closing of the Thirty-seventh Legislature, as we construe the act, the present personnel of the Board retires, and in justice to the Board, on the eve of its retirement, it is only fair to ask that a committee of the Senate and the House make an inspection of the road and file such report as they may have to make, with the Thirty-eighth Legislature. For the reasons set out the Board respectfully asks that it be granted this courtesy.

Respectfully,

BOARD OF MANAGERS, TEXAS STATE RAILROAD,
By LYNCH DAVIDSON, Chairman.

EXHIBIT "A"

LIST OF DEPOSITS AND WARRANTS APPROVED—APPROPRIATION C-3524, AUGUST 16, 1921, TO JANUARY 31, 1922.

Balance in Fund, August 16, 1921, as shown by certified statement of Comptroller,
printed in Senate Journal.....\$30,821.71

DEPOSITS.

1921		
Nov. 14	Balance in Farmers and Merchants State Bank, Maydelle, as of November 1, 1921.....	\$ 10.04
Dec. 7	Balance, Guaranty State Bank, Palestine.....	194.59
Dec. 14	Certified check, Birmingham Rail and Locomotive Co., Birmingham, Ala., initial payment on Locomotive No. 7. (Total price \$12,500, balance payable before removal of locomotive from State line).....	4,000.00
Dec. 15	Balance, Royall National Bank, Hospital account.....	414.10
1922		
Jan. 5	Balance, Farmers and Merchants State Bank, Rusk, Texas.....	76.67
Total deposits.....		\$ 4,695.40
		\$35,517.11

WARRANTS APPROVED.

1921		
Aug. 16	J. A. Glen, expense.....	\$ 28.90
Aug. 16	C. R. Woodall.....	6.00
Aug. 16	Western Union Telegraph Co.....	1.70
Aug. 16	C. & N. E. R. R., three motor cars.....	450.00
Aug. 16	L. Davidson, expense.....	22.36
Aug. 19	S. R. Brooks, expense.....	29.46
Aug. 16	Texas Company.....	25.32
Aug. 16	Palestine Telephone Co.....	35.20
Aug. 16	Powell Land and Lumber Co., materials.....	291.63
Aug. 20	E. C. Durham, expense.....	172.43
Aug. 27	J. N. Vickers.....	10.00
Aug. 20	Payroll. W. P. Smith, auditor, \$100; J. L. Hester, foreman, \$75; Ed. McGriff, labor, \$15.50; Ed. Boutte, labor, \$13; Ike Long, labor, \$9.50; Mose Hunter, labor, \$23; Ed Bell, \$17; Will Perry, \$16.75; W. H. Jefferson, \$13.15; Wade Lee, \$6; Walter Sapp, \$15.55; James Price, \$14; Mac Turner, \$15; N. Patterson, \$20; Hamon Green, \$6.50; L. W. Wilson, \$10; Glenn Price, \$1; W. McKensie, \$5; L. L. Price, \$2; Lee Davis, \$4; Andy Hode, \$6.30; O. P. Lindsay, \$8.20; Clarence Lane, \$7.60; L. Rawlings, \$1.30; Henry Pinson, \$4.12; A. McGriff, \$1.50; Rufus Jones, \$16.50; Lonzo Wiggins, \$10; Douglas Polk, \$7.40; James Sarden, \$5.37; J. W. Miller, \$24; Lively & Son, board, \$127.35; K. Vogel, stenographer, \$25; A. McGriff, labor, \$22; H. Swanson, \$5.95; Morgan Butler, \$21; A. Bridges, \$1; O. Michawe, \$6.75; John Sanford, \$14; Roger Williams, \$4; Harry Casey, \$9; Taylor Green, \$8; Sam Miller, \$11.50; T. B. Glasgow, \$17; Burse Michawe, \$7; Morgan Barrett, \$6; Jack Redwine, \$10; Herman Green, \$8; Ed Pinson, \$7.50; S. J. Jackson, \$6; Himes Wade, \$16; S. H. Lindsay, \$4.40; D. W. McGowen, \$3.35; M. Lacy, \$8.52; W. Singtry, \$2.12; T. McKelley, \$5.75; C. Lacy, \$3.77; Allen Polk, \$7.50; Link Doty, \$3.15; B. T. Cleaver, \$7.30; J. W. Miller, board, \$225.74; J. B. Watson, board, \$143.08 Total payroll.....	1,222.00

Sept. 5	Royall National Bank, overdraft account.....	\$ 276.67
Sept. 9	W. P. Smith, auditor, payroll.....	100.00
Sept. 9	J. L. Hester, foreman.....	75.00
Sept. 9	K. Vogel, stenographer.....	25.00
Sept. 10	S. R. Brooks, expense.....	63.08
Sept. 14	I. & G. N. R. R., construction work.....	332.18
Sept. 14	A. Murphy, teaming.....	747.50
Sept. 16	Southwestern Telephone Co., Houston.....	4.65
Sept. 16	Southwestern Telephone Co., Houston.....	6.45
Sept. 17	W. P. Smith, auditor, payroll.....	100.00
Sept. 17	K. Vogel, stenographer.....	25.00
Sept. 17	J. W. Miller, labor.....	20.00
Sept. 17	Ed Phillips, labor.....	7.00
Sept. 17	P. J. McGown, labor.....	4.00
Sept. 17	E. L. Bell, labor.....	18.00
Sept. 17	E. B. Blackshear, labor.....	14.00
Sept. 17	R. E. Williams, labor.....	18.00
Sept. 17	Clint Tennant, labor.....	16.00
Sept. 17	C. Washington, labor.....	4.00
Sept. 17	W. D. Alexander, labor.....	3.00
Sept. 17	F. C. Ford, labor.....	2.00
Sept. 17	J. Kemp, labor.....	2.00
Sept. 27	T. R. Benge.....	4.57
Sept. 27	Palestine Hardware Co.....	22.65
Sept. 27	S. Raymond Brooks, salary.....	175.00
Sept. 27	S. R. Brooks, expense.....	55.18
Sept. 27	J. J. Collins & Son, Chicago.....	32.00
Sept. 27	C. B. Guthrie, Agent, Washington.....	14.82
Sept. 27	Geo. E. Dilley & Son, Palestine.....	44.20
Sept. 30	S. R. Brooks, expense.....	60.05
Oct. 1	J. A. Glen, expense.....	15.13
Oct. 6	Postal Telegraph Co., Austin.....	.89
Oct. 6	J. A. Glen, telegraph account.....	8.15
Oct. 7	Royall National Bank, overdraft account.....	172.20
Oct. 7	S. R. Brooks, traveling expense.....	65.30
Oct. 14	S. W. Bell Telegraph Co., Houston.....	10.80
Oct. 14	Western Union Telegraph Co., Houston.....	27.60
Oct. 14	W. P. Smith, auditor, payroll.....	65.00
Oct. 14	K. Vogel, stenographer.....	25.00
Oct. 14	M. W. Carley, foreman.....	75.00
Oct. 14	J. W. Miller, labor.....	30.00
Oct. 14	E. L. Bell, labor.....	16.00
Oct. 14	B. E. Williams, labor.....	18.00
Oct. 14	E. B. Blackshear, labor.....	18.00
Oct. 14	E. C. Ford, labor.....	26.00
Oct. 14	Mose Hunter, labor.....	8.00
Oct. 14	Rube Belcher, labor.....	2.00
Oct. 14	O. P. Lindsay, labor.....	2.00
Oct. 14	A. D. Hode, labor.....	2.00
Oct. 14	Ed Phillips, labor.....	2.00
Oct. 14	Perlie Hode, labor.....	2.00
Oct. 14	C. Tennard, labor.....	26.00
Oct. 14	John Allen, labor.....	10.00
Oct. 14	Willie Williams, labor.....	8.00
Oct. 14	Sam McKewen, labor.....	2.00
Oct. 19	W. P. Smith, auditor.....	100.00
Oct. 19	K. Vogel, stenographer.....	25.00
Oct. 19	M. W. Carley, foreman.....	75.00
Oct. 19	J. W. Miller, labor.....	30.00
Oct. 19	Mose Hunter, labor.....	23.05
Oct. 19	W. Channey, labor.....	2.00
Oct. 19	F. C. Ford, labor.....	5.15
Oct. 19	C. Tennard, labor.....	6.50
Oct. 19	L. Shepherd, labor.....	18.00
Oct. 19	Paris Daniel, labor.....	23.55
Oct. 19	R. Belcher, labor.....	11.00
Oct. 19	O. P. Lindsay, labor.....	26.00
Oct. 19	A. D. Hode, labor.....	25.00
Oct. 19	F. Phillips, labor.....	15.20
Oct. 19	Sam McKewen, labor.....	.95
Oct. 19	P. Hode, labor.....	16.05
Oct. 19	J. Lindsey, labor.....	8.00
Oct. 19	A. Main, labor, teams.....	175.00
Oct. 19	T. Cook, labor.....	18.00
Oct. 19	Dallas Waste Mills.....	7.98
Oct. 19	Texas Company, Houston.....	39.95
Oct. 19	Chas. Mullinix, Maydelle.....	5.75
Oct. 19	W. L. Foshee, Maydelle.....	12.20
Oct. 19	Palestine Hardware Co.....	38.55
Oct. 19	Palestine Printing Co.....	7.50
Oct. 19	Geo. F. Pessoney, refund ties paid for.....	198.00
Oct. 21	I. & G. N. R. R., freight, Local No. 6, from Huntsville.....	128.50
Oct. 22	J. W. Miller, board, deduct from payroll.....	57.75
Oct. 22	J. B. Watson & Son, deduct from payroll.....	48.00
Oct. 24	S. R. Brooks, expense.....	67.38
Oct. 28	L. Davidsom, traveling expense.....	49.25
Oct. 28	Tobin Book Co, stationery.....	40.14
Oct. 28	S. R. Brooks, salary.....	175.00

Oct. 29	Remington Typewriter Co.	\$ 3.80
Nov. 3	E. L. Wilson Hardware Co., shovels.	43.50
Nov. 3	S. W. Bell Telephone Co., Houston.	7.56
Nov. 3	S. W. Bell Telephone Co., Houston.	8.90
Nov. 7	W. P. Smith, auditor, payroll.	100.00
Nov. 7	K. Vogel, stenographer.	25.00
Nov. 9	Southern Hardware and Supply Co., spikes.	150.00
Nov. 7	M. W. Carley, foreman.	75.00
Nov. 7	J. W. Miller, labor.	32.60
Nov. 7	W. C. Ford, labor.	4.60
Nov. 7	Mose Hunter, labor.	18.60
Nov. 7	C. Tennard, labor.	6.47
Nov. 7	P. Daniels, labor.	8.00
Nov. 7	W. Chancey, labor.	3.00
Nov. 7	C. W. Curtis, labor.	16.00
Nov. 7	D. Rigsby, labor.	22.00
Nov. 7	F. C. Goree, labor.	14.40
Nov. 7	J. L. Butler, labor.	4.00
Nov. 7	H. Kelley, labor.	2.00
Nov. 7	L. Shepherd, labor.	16.00
Nov. 7	C. Lofton, labor.	4.00
Nov. 7	J. J. Jackson, labor.	8.00
Nov. 7	R. Belcher, labor.	10.30
Nov. 7	A. D. Hode, labor.	18.55
Nov. 7	O. P. Lindsay, labor.	17.20
Nov. 7	Ed. Phillips, labor.	14.50
Nov. 7	P. Hode, labor.	19.35
Nov. 7	J. Lindsey, labor.	22.30
Nov. 7	A. Main, teams.	363.00
Nov. 7	J. W. Miller, board, deduct from payroll.	108.73
Nov. 7	J. B. Watson, board, deduct from payroll.	53.80
Nov. 7	Magnolia Petroleum Co.	180.62
Nov. 7	Palestine Hardware Co.	19.05
Nov. 7	Davenport Lumber Co., ties.	234.00
Nov. 7	S. W. Bell Telephone Co., Palestine.	2.80
Nov. 7	Fairbanks & Morse Co.	37.25
Nov. 7	Independent Lumber Co., materials.	144.50
Nov. 7	Independent Lumber Co., materials.	217.25
Nov. 15	J. A. Glen, telephone account.	15.75
Nov. 15	Houston Post, advertising.	1.08
Nov. 15	Palestine Telephone Co.	20.10
Nov. 15	S. R. Brooks, traveling expenses.	65.85
Nov. 16	Royall National Bank, overdraft account.	28.47
Nov. 16	Morris Machine Co., Palestine.	8.00
Nov. 19	Geo. Schmidt Hardware Co., Palestine.	11.50
Nov. 19	Silliman Hardware Co., Palestine.	47.10
Nov. 19	Pere Marquette Ry., Detroit.	4.00
Nov. 19	Palestine Hardware Co.	12.15
Nov. 19	J. L. Hester, salary last half September.	75.00
Nov. 23	W. P. Smith, salary first half November.	100.00
Nov. 23	K. Vogel, stenographer.	25.00
Nov. 23	M. W. Carley, foreman.	60.00
Nov. 23	J. W. Miller, labor.	12.00
Nov. 23	F. C. Ford, labor.	3.00
Nov. 23	Mose Hunter, labor.	12.00
Nov. 23	C. Tennard, labor.	1.00
Nov. 23	W. Clancey, labor.	1.00
Nov. 23	D. Rigsby, labor.	4.00
Nov. 23	F. C. Grove, labor.	2.50
Nov. 23	J. L. Butler, labor.	1.00
Nov. 23	J. Jackson, labor.	5.75
Nov. 23	L. Gibson, labor.	1.00
Nov. 23	A. D. Hode, labor.	3.35
Nov. 23	O. P. Lindsay, labor.	8.60
Nov. 23	Ed. Phillips, labor.70
Nov. 23	P. Hode, labor.	5.25
Nov. 23	J. Lindsay, labor.	10.00
Nov. 23	A. Main, teams.	150.00
Nov. 23	T. Cook, labor.	15.00
Nov. 23	J. W. Miller, board deduct from payroll.	77.75
Nov. 23	J. B. Watson & Son, board, deduct from payroll.	32.10
Nov. 26	S. R. Brooks, salary.	175.00
Nov. 26	Western Union Telegraph Co., Houston.	6.68
Nov. 30	S. W. Bell Telephone Co., Houston.	3.90
Nov. 30	S. R. Brooks, traveling expense.	99.10
Nov. 30	S. W. Bell Telephone Co., Houston.	1.95
Nov. 30	S. W. Bell Telephone Co., Houston.	3.15
Nov. 30	S. R. Brooks, expense.	38.50
Dec. 5	E. S. Bolton, Maydelle, ties.	180.80
Dec. 5	A. Main, Palestine, ties.	22.80
Dec. 5	James Singleton, Palestine, ties.	158.45
Dec. 5	C. S. Grogan, Rusk, ties.	31.20
Dec. 5	C. S. Sanders, Palestine, ties.	55.50
Dec. 7	J. Singleton, ties.	50.40
Dec. 7	C. S. Sanders, ties.	150.90
Dec. 7	R. A. Grogan, ties.	134.40
Dec. 7	E. S. Bolton, ties.	64.00
Dec. 10	E. C. Durham, expense.	19.42

Dec. 14	W. P. Smith, salary	\$ 100.00
Dec. 14	S. D. Lindsey, ties	151.10
Dec. 14	E. S. Bolton, ties	323.90
Dec. 14	R. M. White, ties	88.40
Dec. 14	R. B. Johnson, ties	23.50
Dec. 14	Dan Turner, ties	74.00
Dec. 14	C. A. Hancock, ties	21.20
Dec. 14	Rush Cherokeean, advertising	1.80
Dec. 14	S. R. Brooks, traveling expenses	81.78
Dec. 19	S. R. Brooks, salary, December	175.00
Dec. 19	S. W. Bell Telephone Co., Houston	3.75
Dec. 19	R. G. Bradley, ties	51.70
Dec. 21	W. P. Smith, salary	100.00
Dec. 27	Western Union Telegraph Co., Houston	8.36
Dec. 29	J. H. Williams, ties	72.65
Dec. 29	C. S. Sanders, ties	287.45
Dec. 29	R. Clemis, ties	129.55
Dec. 29	W. Clemis, ties	77.45
Dec. 29	J. W. Mathews, ties	105.55
Dec. 29	James Singleton, ties	344.70
Dec. 29	Alton Main, ties	82.30
Dec. 29	J. W. Teel, ties	42.00
Dec. 29	R. A. Grogan, ties	151.80
Dec. 29	C. M. Woodward, ties	123.95
Dec. 29	K. C. Lusk, ties	103.60
Dec. 29	L. J. Watson, ties	87.75
Dec. 29	E. S. Bolton, ties	751.90
Dec. 29	S. D. Lindsey, ties	42.50
Dec. 29	R. A. Grogan, ties	31.45
Dec. 30	S. R. Brooks, traveling expenses	60.00

1922

Jan. 5	K. Vogel, stenographer	5.00
Jan. 5	W. P. Smith, auditor	100.00
Jan. 9	Houston Chronicle Publishing Co., advertising	4.50
Jan. 9	S. W. Bell Telephone Co., Palestine	4.35
Jan. 9	W. P. Smith, cash items paid	34.86
Jan. 9	T. J. Moore, ties	18.90
Jan. 12	J. A. Glen, telephone account	5.60
Jan. 12	Houston Post, advertising	1.96
Jan. 12	C. M. Woodward, ties	100.20
Jan. 12	Alton Main, ties	19.75
Jan. 12	L. W. Mathews, ties	39.65
Jan. 12	R. M. White, ties	24.05
Jan. 14	Clarke & Courts, stationery	109.00
Jan. 19	Lumber Trade Journal	7.35
Jan. 20	W. L. Foshee, motor car repairs	22.10
Jan. 20	E. S. Bolton, Maydelle, materials	3.90
Jan. 20	A. M. Burns, Palestine, car parts	20.73
Jan. 20	E. L. Wilson Hardware Co., tools	44.50
Jan. 20	Beaumont Enterprise, advertising	5.40
Jan. 24	S. D. Lindsey, ties	98.50
Jan. 24	J. C. Lusk, ties	83.10
Jan. 24	Alton Main, ties	109.35
Jan. 24	L. W. Mathews, ties	60.05
Jan. 24	L. A. Grogan, ties	10.15
Jan. 24	James Singleton, ties	227.55
Jan. 24	G. S. Sanders, ties	263.10
Jan. 24	W. Clemis, ties	68.65
Jan. 24	R. Clemis, ties	72.95
Jan. 24	C. S. Sanders, ties	87.25
Jan. 24	James Singleton, ties	105.05
Jan. 24	J. H. Williams, ties	68.30
Jan. 24	Knox Overton, ties	390.40
Jan. 24	S. W. Bell Telephone Co., Houston	20.25
Jan. 24	Western Union Telegraph Co., Houston	13.26
Jan. 26	Dallas News, advertising	1.68
Jan. 31	S. R. Brooks, salary	175.00
Jan. 31	S. R. Brooks, expenses	141.10
Feb. 2	Knox Overton, ties	462.55
Feb. 2	C. M. Woodward, ties	245.10
Feb. 13	The Cargill Co., Houston, supplies	13.95
Feb. 13	Waddell House Furnishing Co., file	51.20
Feb. 16	J. Q. Weatherly, salary, February	175.00
Feb. 16	S. W. Bell Telephone Co., Houston	26.49
Feb. 16	J. W. McCullough Co., Audit	820.81
Feb. 16	Magnolia Petroleum Co., gasoline	16.76
Feb. 15	Tobin's Book Store, stationery	18.26
Feb. 16	Dealy, Adey Elgin Co., stationery	2.10
Feb. 16	Western Union Telegraph Co., Houston	26.27
Feb. 25	J. Q. Weatherly, traveling expenses	60.64
Feb. 25	J. W. McCullough Co., auditing service	100.96
Feb. 25	Palestine Hardware Co., supplies	4.30

Total warrants.....\$19,093.96

Balance in Treasury, Feb. 28, 1922.....\$16,423.15

**LIST OF DEPOSITS AND WARRANTS APPROVED—APPROPRIATION C-3524,
FEBRUARY 28, 1922, TO JUNE 30, 1922.**

Balance in Fund, February 28, 1922, as shown by certified statement of Comptroller,
filed in your office.....\$16,423.15

DEPOSITS.

1922			
Mar. 30	Check of Independent Lumber Co.	2.66	
April 12	Check of Western Weighing and Inspection Co.	.70	
April 12	Returned for cancellation various warrants not cashed, as follows:		
	Warrant No. Favor.		
	91500.....Andrew McGriff.....	1.50	
	91509.....B. F. Cleaver.....	7.30	
	88460.....Geo. Tucker.....	1.00	
	88474.....Butler Jones.....	4.00	
	91482.....Clenny Price.....	1.00	
	88475.....Luke Darby.....	4.00	
	88458.....Haley Patterson.....	1.00	
	88466.....Geo. Watson.....	2.00	
	91485.....Herman Green.....	8.00	
	16709.....Dan Rigsby.....	4.00	
	88467.....H. W. Lowe.....	4.00	
April 12	Check on Lumberman's National Bank.....	19,131.35	
April 24	Check of R. P. Dean, on note.....	50.00	
April 26	Federal Government Warrant No. 54225.....	6.28	
April 30	Cashier's Check No. 11059, by First National Bank, Palestine, on National Exchange Bank, Houston.....	85.00	
June 26	Check Lumberman's National Bank.....	1,094.10	
June 1	Warrant favor Verona Tool Works returned for cancellation.....	381.22	
		\$37,212.26	

WARRANTS.

1922			
Mar. 4	Underwood Typewriter Co.....	\$ 2.00	
Mar. 4	Royal Typewriter Co.....	12.50	
Mar. 4	Robt. W. Hunt & Co.....	74.71	
Mar. 4	Teolin Pilot Co.....	5.80	
Mar. 8	J. Q. Weatherly.....	38.93	
Mar. 11	S. Raymond Brooks.....	47.36	
Mar. 11	Knox Overton.....	110.15	
Mar. 14	Hyman Michaels Co.....	2,624.00	
Mar. 15	J. W. McCullough.....	101.02	
Mar. 18	J. A. Glen.....	24.90	
Mar. 18	G. S. Huston.....	39.60	
Mar. 18	Western Union Telegraph Co.....	27.87	
Mar. 24	J. Q. Weatherly.....	41.10	
Mar. 24	J. W. McCullough.....	1,125.94	
Mar. 29	J. W. McCullough.....	346.90	
Mar. 30	J. Q. Weatherly.....	175.00	
Mar. 30	C. I. Thomason.....	3.50	
April 17	Rein Printing Co.....	20.00	
April 17	Kee Lox Manufacturing Co.....	5.00	
April 17	Mrs. Irl Allen.....	5.00	
April 17	Clarke & Courts.....	50.44	
April 17	Western Union Telegraph Co.....	39.49	
April 17	J. W. McCullough.....	275.22	
April 17	I. & G. N. R. R.....	14.47	
April 17	S. W. Bell Telephone Co.....	35.60	
April 17	J. Q. Weatherly.....	30.45	
April 17	Verona Tool Works.....	381.22	
April 24	Gulf Coast Lumberman.....	30.00	
April 24	Silliman Hardware Co.....	86.00	
April 24	Bethlehem Steel Co.....	2,139.25	
April 24	Herman Schmidt & Co.....	89.60	
April 24	Cargill Co.....	10.00	
April 30	J. Q. Weatherly.....	175.00	
April 24	J. Q. Weatherly.....	33.04	
April	Western Union, Austin.....	.40	
May 5	Fairbanks-Morse Co.....	23.60	
May 5	J. Q. Weatherly.....	22.00	
May 9	Palestine Herald.....	1.75	
May 9	J. W. McCullough.....	170.64	
May 9	J. W. McCullough.....	200.00	
May 20	Clarke & Courts.....	44.00	
May 20	J. Q. Weatherly.....	33.69	
May 25	Western Union Telegraph Co.....	14.51	
May 29	J. Q. Weatherly.....	175.00	
May 29	G. S. Huston.....	40.00	
May 29	S. W. Bell Telephone Co.....	24.31	
May 9	J. A. Glen.....	9.50	
June 1	J. Q. Weatherly.....	29.40	
June 1	Verona Tool Works.....	386.07	
June 10	Disbursing clerk, U. S. Department Agriculture.....	2,189.50	
June 10	State Highway Department.....	218.95	
June 10	J. S. Sherman.....	25.00	

June 10	Kee Lox Manufacturing Co.	\$ 2.00
June 20	L. Davidson	45.52
June 20	S. W. Bell Telephone Co.	27.15
June 30	J. Q. Weatherly	175.00
June 19	J. Q. Weatherly	60.40
June 14	Cargill Co.	5.50
June 15	J. W. McCullough	300.32
June 14	Western Union Telegraph Co.	15.05
June 14	Teolin Pillot	2.25
June 30	Teolin Pillot	
June 30	J. W. McCullough Co.	200.00
June 30	W. H. Nichols	5,327.73
		<u>23,190.30</u>
Balance July 1, 1922.		\$14,021.96

I certify that the above account is correct.

(Signed) LON A. SMITH,
State Comptroller.

EXHIBIT "B"—TRIPLICATE.

LIST OF DEPOSITS AND WARRANTS APPROVED—APPROPRIATION C-3524, JUNE 30, 1922, TO JANUARY 6, 1923.

Balance in Fund, June 30, 1922, as shown by certified statement of Comptroller,
filed in your office. \$14,021.96

DEPOSITS.

1922		
July 22	Check Lumberman's National Bank, Houston	\$11,035.68
1923		
Jan. 6	Check Lumberman's National Bank, Houston	16,993.65
		<u>28,029.33</u>
		\$42,051.29

WARRANTS APPROVED.

		No.	
1922			
July 21	Western Union Telegraph Co.	60507	\$ 10.27
July 25	G. S. Huston	60637	5.00
July 25	W. H. Nichols	60638	425.21
July 21	J. A. Glen	60508	6.45
July 21	Kee Lox Manufacturing Co.	60506	1.00
July 22	J. Q. Weatherly		15.00
July 29	J. Q. Weatherly	60071	175.00
	S. W. Bell Telephone Co.		54.47
July 1	J. Q. Weatherly	58562	33.01
	J. W. McCullough	57823	100.18
July 27	W. A. Wetzel	60806	200.00
Aug. 30	J. Q. Weatherly	65039	96.85
Aug. 30	J. Q. Weatherly	65038	175.00
Aug. 30	Texas Blue Print Co.	65037	2.60
Sept. 13	Cargill Co.	1831	5.20
Sept. 13	Kee Lox Manufacturing Co.	1832	5.00
Sept. 13	I. & G. N. Ry. Co.	1893	12.00
Sept. 13	G. C. & S. F. Ry.	1834	19.00
Sept. 15	Wier Long Leaf Lumber Co.	2110	67.15
Sept. 19	T. G. Frazee	2110	99.75
Sept. 25	S. W. Bell Telephone Co.	3966	9.60
Nov. 3	Clarke & Courts	15106	26.61
Nov. 3	Cargill Company	15107	3.35
Nov. 3	Remington Typewriter Co.	15108	.75
Nov. 3	Kee Lox Manufacturing Co.	15109	6.00
Nov. 3	S. W. Bell Telephone Co.	15110	2.75
Nov. 3	E. C. Durham	15111	28.41
Dec. 8	Royal Typewriter Co.	25620	3.00
Dec. 8	Houston Chronicle Publishing Co.	25621	1.52
Dec. 8	Western Union Tel. Co.	25622	15.31
Dec. 8	Kee Lox Manufacturing Co.	25618	5.00
Dec. 8	Houston Printing Co.	25619	.54
Dec. 13	S. W. Bell Telephone Co.	27156	2.75
Dec. 19	T. & N. O. Ry.	29158	16.83
Total warrants.			<u>1,633.56</u>
Balance in Treasury, Jan. 6, 1923.			\$40,417.73

I certify that the above account is correct.

(Signed) LON A. SMITH,
State Comptroller.

[Seal]

EXHIBIT "C"—TRIPPLICATE

STATEMENT OF BOARD OF MANAGERS TEXAS STATE RAILROAD

IN ACCOUNT

THE LUMBERMAN NATIONAL BANK.

Balance in bank, June 30, 1922.....\$ 2,100.00

DEPOSITS.

1922			
July 7	Check Birmingham Rail and Locomotive Co.....	\$	753.22
July 20	Check R. W. Wier Lumber Co.....	7,882.46	
July 21	Check Palmetto Lumber Co.....	300.00	
July 30	Draft Birmingham Rail and Locomotive Co.....	691.44	
Aug. 17	Check Sugarland Industries.....	5,449.86	
Aug. 17	Check Geo. Cleveland, Jr.....	1,670.00	
Sept. 1	Checks, United States Government.....	8.70	
Sept. 18	Check R. P. Dean.....	50.00	
Sept. 27		22.83	
Oct. 27	Draft Delta Land and Timber Co.....	10,047.00	
Nov. 6	Check J. Q. Weatherly.....	271.85	
	Total deposits.....	27,147.36	
		\$29,247.36	

DISBURSEMENTS.

1922			
July 22	Check to Treasurer.....	\$11,035.68	
Sept. 12	Check to J. Q. Weatherly.....	271.85	
Sept. 19	Check to J. Q. Weatherly.....	144.77	
Oct. 9	Check to Edward Kilman.....	35.00	
Oct. 24	Check to Edward Kilman.....	175.00	
Nov. 8	Check to Edward Kilman.....	24.65	
Nov. 14	Check to Edward Kilman.....	87.50	
Dec. 1	Check to Edward Kilman.....	87.50	
Dec. 1	Check to Edward Kilman.....	64.47	
Dec. 18	Check to S. P. Ry. Co.....	77.29	
Dec. 18	Check to pay draft S. Raymond Brooks.....	250.00	
1923			
Jan. 6	Check to Treasurer.....	16,993.65	
	Total disbursements.....	\$29,247.36	

STATEMENT OF BOARD OF MANAGERS TEXAS STATE RAILROAD

IN ACCOUNT

THE STATE NATIONAL BANK

Balance in bank, June 30, 1922.....\$ 000.00

DEPOSITS.

1922			
Nov. 27	Draft Cia. Minera de Penoles, S. A.....	\$	975.00
Nov. 28	Birmingham Rail and Locomotive Co.....	1,504.50	
	Total deposits.....	2,479.50	

DISBURSEMENTS—NONE.

Balance in bank, January 6, 1923.....\$ 2,479.50